

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**LABORERS' PENSION FUND, and
LABORERS' WELFARE FUND OF
THE HEALTH AND WELFARE
DEPARTMENT OF THE
CONSTRUCTION AND GENERAL
LABORERS' DISTRICT COUNCIL
OF CHICAGO AND VICINITY, and
LABORERS' DISTRICT COUNCIL
RETIREE HEALTH AND WELFARE
FUND, CATHERINE WENSKUS,
Administrator of the Funds, and
THE CONSTRUCTION AND
GENERAL LABORERS' DISTRICT
COUNCIL OF CHICAGO AND
VICINITY,**

Plaintiffs.

v.

RAI Concrete, Inc.,
Defendant.

Case No. 21-cv-4790

Judge John F. Kness

PLAINTIFF'S INITIAL STATUS REPORT UNDER RULE 26(f)

Plaintiffs, the Construction and General Laborers' District Council of Chicago and Vicinity (the "District Council" or the "Union"), by its attorney, Joanna Barrera, and the Laborers' Pension Fund, Laborers' Welfare Fund of the Health and Welfare Department of the Construction and General Laborers' District Council of Chicago and Vicinity, the Chicago Laborers District Council Retiree Health and Welfare Fund, and Catherine Wenskus, not individually, but as Administrator of the Funds, (herein after referred to as the "Funds,") by their attorneys, Patrick T. Wallace, and

Katherine Mosenson, submit this Status Report. In support of this Report, Plaintiffs state as follows:

1. The parties in this matter attended a settlement conference on February 18, 2022 before the Honorable Magistrate Judge Jeffrey Cummings in a related matter, *Laborers' Pension Fund, et al. v. RAI Concrete, Inc., et al.*, Case No. 17 CV 8748 in an effort to globally resolve both District Court cases.
2. The parties reached a settlement in principle which resolves both District Court cases.
3. The settlement negotiated by the parties must be approved by the Trustees of the Funds ("Trustees").
4. The settlement will be presented and voted on by the Trustees at a scheduled meeting on March 14, 2022.
5. Plaintiffs anticipate that settlement papers will be executed within thirty (30) days from the date of the Trustees' approval.
6. The parties plan to file a Stipulation to Dismiss this matter with a draft dismissal order when the settlement is finalized.
7. The Plaintiffs respectfully request the matter be reset for status at the Court's convenience sometime on or after April 14, 2022.

Respectfully submitted,

The Construction and General
Laborers' District Council of Chicago
and Vicinity

By: /s/ Joanna Barrera

February 25, 2022

Laborers' District Council
999 McClintock Drive, Suite 300
Burr Ridge, IL 60527
(630)655-8289

Laborers' Pension Fund, et al.

By: /s/ Patrick T. Wallace

February 25, 2022

Office of Fund Counsel
111 W Jackson Blvd., Suite 1415
Chicago, IL 60604

CERTIFICATE OF SERVICE

The undersigned certifies that she caused a copy of the foregoing Status Report to be served upon the following persons via the U.S. Postal Service this 25th day of February 2022.

RAI Concrete, Inc.
1827 Blackhawk Dr.,
West Chicago, IL 60185

David R. Herzog
Herzog & Schwartz, P.C.
77 W. Washington St., Suite
Chicago, IL 60602

/s/ Joanna Barrera